

**THE DELHI AGRICULTURAL PRODUCE MARKETING (REGULATION)
ACT, 1998.**

**CHAPTER – I
PRELIMINERY**

1. Short titles, extent and commencement
 - (i) This Act may be called The Delhi Agricultural Produce Marketing (Regulation) Act, 1998.
 - (ii) It extends to the whole of the National Capital Territory of Delhi
 - (iii) It shall come into force on such date as the Government may, by notification, appoint.

2. Definitions
 - (1) In this Act, unless the context otherwise requires,
 - (a) “agricultural produce” means all produce and commodities, whether processed or unprocessed, of agricultural, horticulture, apiculture, viticulture, pisciculture, sericulture, animal husbandry, fleeces and skins of animals and forest products as are specified in the Schedule and each other produce as may be declared by the Government by notification to be an agricultural produce and also includes admixture of two or more of such produce;
 - (b) “agriculturist” means a person residing in Delhi who ordinarily by his own labour or by the labour of any member of his family or who by the labour his tenants or servants or hired labour or otherwise, is engaged in the production or growth of agricultural produce, which has not been processed, but does not include a trader, commission agent, processor or broker, or a partner in a trading firm, or industrial concern, or in relation to agricultural produce, except where such trader, commission agent, processor or broker or partner is engaged in the production or growth of agricultural produce;
 - (c) “ Board” means the Delhi Agricultural Marketing Board constituted under section 5;

- (d) “broker” means an agent who, in consideration of a commission, fee or remuneration, contrives, makes and concludes a bargain or contracts on behalf of his principal, for the purchase or sale of agricultural produce, but does not receive, deliver, transport, or pay for the purchase or collect payment for the sale of the notified agricultural produce;
- (e) “buyer” means a person, firm, company or cooperative society or Government agency or public undertaking or public agency or corporation, or commission agent, who in the course of his or its business himself or itself or on behalf of any person or agency buys or agrees to buy notified agricultural produce in the market area;
- (f) “bye-laws” means bye-laws made under section 118;
- (g) “commission agent or Arhtia” means a person, who by himself or through his servants, in the ordinary course of business, makes or offers to make a purchase or sale of a notified agriculture produce, on behalf of the seller or purchaser of such agricultural produce as the case may be, within the notified market yard and/or sub-yard or keeps it in his custody and controls it during the process of its sale or purchase and collects payment thereof from the buyer and pays it to the seller and receives by way of remuneration a commission or Arhat or percentage upon the amount involved in each transaction;
- (h) “Delhi” means the National Capital Territory of Delhi.
- (i) “Director” means a person appointed by the Government by notification, as the Director of Agricultural Marketing for Delhi;
- (j) “Government” means the Lieutenant Governor;
- (k) “Lieutenant Governor” means the Lieutenant Governor of the National Capital Territory of Delhi appointed by the President under article 239 read with article 239 AA of the Constitution;
- (l) “local authority” means, in relation to an area within the local limits of:-
 - (i) The Municipal Corporation of Delhi, that Corporation;
 - (ii) the New Delhi Municipal Council, that Council; and
 - (iii) the Delhi Cantonment Board, that Board;

Explanation- It is hereby clarified that, for the purpose of this Act, the Delhi Development Authority

constituted under the Delhi Development Act, 1957 and the Board and a marketing committee established under this Act, shall be deemed to be local authority;

- (m) “market” means a regulated market established under this Act, for a market area and includes a market of national importance established under section 26 and a principal market and a subsidiary market established under section 23;
- (n) “market area” means area declared to be a market area under section 4;
- (o) “market charges” include charges on account of or in respect of commission, brokerage, weighing, measuring, palledari, loading, unloading, and carrying, cleaning, drying, sieving, stitching, stacking, hiring, gunny bags stamping, bagging, storing, warehousing, grading, surveying, transporting and processing;
- (p) “marketing committee” means a committee constituted for a market area under this Act;
- (q) “marketing” means buying or selling of notified agricultural produce and includes grading, packaging, standardization, processing, storage, cold storage, warehouse, transport, export, channels of distribution and any other function associated with the buying or selling of such agricultural produce and all activities involved in the flow of agricultural produce from production points commencing with the stage of harvest till these reach the consumer at large;
- (r) “market functionary” means a dealer, broker, commission agent, buyer, palledar, processor, stockist, cold storage operator, trader, weighman and such other person as may be declared by notification under the bye-laws to be a market functionary;
- (s) “marketing service” means Delhi Agricultural Marketing Service constituted under section 75;
- (t) “notification” means a notification published in the official Gazette;
- (u) “notified agricultural produce” means any agricultural produce notified under section 4;
- (v) “official Gazette” means the Delhi Gazette;
- (w) “prescribed” means prescribed by rules made under this Act;
- (x) “processing” means any one or more of a series of treatments relating to powdering, crushing, decorticating, husking, parboiling, polishing, ginning, pressing, curing or any other manual, mechanical,

- chemical or physical treatment to which raw agricultural produce or its product is subjected to;
- (y) “processor” means a person who processes any notified agricultural produce on his own accord or on payment of a charge;
 - (z) “retail sale” in relation to any notified agricultural produce, means the sale of that produce, not exceeding such quantity as the marketing committee may, by bye-laws, determine to be a retail sale in respect thereof;
 - (za) “rules” means rules made under this Act;
 - (zb) “schedule” means the schedule to this Act;
 - (zc) “Secretary” means a Secretary to the Board, Marketing Committee for market of national importance and other marketing committee and includes Joint, Deputy and Asstt. Secretary appointed as per provision of this Act and in terms of Service Relations meant for Delhi Agricultural Marketing Service.
 - (zd) “section” means a section of this Act;
 - (ze) “seller” means a person who, sells or agrees to sell any notified agricultural produce and includes a person who sells on behalf of any other person as his agent or servant or commission agent;
 - (zf) “surveyor” means a person who, on arrival of a consignment of notified agricultural produce for sale in any market area or market, surveys it for ascertaining the quality, refraction, adulteration and other like factors;
 - (zg) “trader” means a person who, in the normal course, carries out the business of buying or selling, storing or processing of any notified agricultural produce as a principal or as a duly authorized agent.
- (2) If any question arises as to whether a person is or is not an agriculturist for the purposes of this Act, the matter shall be referred to the Director whose decision thereon shall be final.